

Safeguarding Our Schools - Scotland

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<https://sosscotland.com/>

PRIVATE AND CONFIDENTIAL

Dear Jo,

Thank you for your letter dated 25th July 2022, in response to our complaint regarding *respectme*. We are appealing the decision made and have detailed the reasons why for your consideration.

The aims of Safeguarding Our Schools - Scotland

1. The aims of SOS – Scotland are set out on our website. See <https://sosscotland.com/aims-and-concerns>. In essence, SOS – Scotland was established to support parents and those working in education, in all capacities, to challenge concerns and issues being raised around safeguarding in schools. These include but are not limited to areas of sex and gender and bullying. It is our aim to ensure that policies and practice are founded on professional values and developed on the basis of evidence. In relation to sex and gender, members of SOS – Scotland, and others who are not members but contact us for advice and support, are concerned that there has been an unhealthy silencing of professional discussion, with many educational professionals and parents feeling that they are unable to ask questions or challenge policies which have been adopted outside of consultation and discussion.
2. Concerns around increased instances of bullying taking place in schools concerning the subject of sex and gender have been raised to us by those working in education and those with children attending school. We ask organisations and regulators to facilitate the ability of teachers and parents acting in good faith to fulfil their responsibilities in safeguarding children and young people, with calm conversation of evidence and to make it clear that threats, bullying and intimidation will not be tolerated and will not be used to silence criticism and challenge.
3. It is illustrative of the chilling effect of the current state of debate that not all members of SOS – Scotland feel able to put their names to our organisation. Many parents and teachers asking for support feel bullied into silence, in fear of being disciplined at work or making their children's lives more difficult in school.

Concerns raised about bullying in schools

4. There has been a growing number of parents and teachers contacting SOS – Scotland with examples and evidence of what appears to be a new form of bullying taking place in schools in the form of belief prejudice. In particular, children, young people, teachers and parents who hold the belief that sex is immutable and that it matters in many areas of school life (sometimes referred to as gender critical belief) have found that they are being silenced, ignored, dismissed or ostracised when voicing their legally held belief.
5. It is unfortunate that we are unable to establish how widespread this new bullying is, due to the hostility around the subject, but the examples we provided to *respectme* when requesting a meeting appear to be just the tip of the iceberg. The recent case of an 18 year old girl being bullied out of school for asking questions about sex and gender, as reported [here](#) is an example of the extreme end of what we are hearing is happening.
6. Individual instances of bullying have been raised with the schools involved. We have supported parents to contact their child's school, but what has resulted is a lack of clear guidance and policy around this particular type of bullying. Schools are often not able to adequately manage these situations because the guidance that they currently use in developing their anti-bullying policies is unbalanced on this subject. For example, the advice provided on the *respectme* website on prejudice-based bullying offers this:
*"Gender identity and transphobic bullying:
The term 'transgender' is an umbrella-term for those whose 'gender identity' or expression differs in some way from the gender assigned to them at birth. Gender identity reflects an individual's internal sense of self as being male, female, or an identity between or outside the two.
Transgender people face significant societal prejudice, largely because they are perceived as not conforming to gender stereotypes, expectations and norms. As a result, transgender or gender 'variant' children and young people can be particularly vulnerable to bullying, such as transphobic and homophobic name calling or **deliberately mis-gendering them (bold is ours).**"*
7. The instances of bullying being reported to SOS – Scotland are around children, parents, teachers etc. who are gender critical, and therefore do not hold a belief in gender identity ideology, including using opposite sex pronouns for a child, being bullied as a result. It therefore begs the question if the national agency for bullying in Scotland

considers misgendering as a form of prejudice-based bullying, how are schools able to advise and support children and adults who are gender critical and do not share this belief? The lack of balance to ensure that all beliefs are respected and don't result in bullying is evident in these situations. This is making it difficult for schools, and individual teachers to ensure no child in their school is being bullied.

Potential discrimination

8. *respectme* are tasked with supporting the rights of all children to live in a society free from bullying, where their rights are respected, and they can reach their full potential. As part of this, it is published that they will:

“Work with all adults involved in the lives of children and young people to give them the practical skills and confidence to deal with children who are bullied and those who bully others”. In order to:

“Build the capacity of these adults to effect change and challenge bullying and stigma at an individual, school, family, community and societal level”.

9. It was on this basis that we first contacted *respectme*, assuming that we would fall under the category of adults involved in the lives of children and young people. As teachers, parents and child protection professionals, we wished to meet with the national agency to have a transparent and calm conversation about how we can challenge this new bullying whilst ensuring that *all* children and young people remain safeguarded. It was our aim to work together to try to develop a way in which advice and guidance could be such that schools, teachers and even parents themselves, felt confident to deal with these rising situations.
10. *respectme* were willing and happy to meet with SOS – Scotland on first contact, as confirmed with a meeting being set. We question why the sudden change and cancellation of our meeting upon learning about our concerns and have to ask if this is based on prejudice regarding the fact that these concerns are from a gender critical position. Had the meeting gone ahead it would have been evident that we were not asking *respectme* to investigate or comment on individual cases, we provided these as examples of a bigger context that we wished to discuss and as we have outlined here and done so upon request.

11. In short, it appears to SOS – Scotland that *respectme* may consider that questions relating to gender identity are inherently negative and not worthy of conversation, support and/or advice. We have not received any concrete evidence or information that would support any other reason for cancelling our meeting. We are of the belief that we have been treated unfairly and possibly discriminatory, resulting in our inability to be provided with the support and advice that is offered to other citizens in Scotland, should they require it.

The role of LGBT Youth Scotland

12. SOS – Scotland are concerned that SAMH have dismissed the possibility of there being a conflict of interest regarding the role that LGBT Youth Scotland play in *respectme*. We appreciate that as partners you will have a view of their role that may differ from ours, however it is wholly unacceptable to respond to us saying that because of SAMH working partnership with LGBT Youth Scotland and your personal experience of them that you won't investigate. We understand that we did not put this potential conflict of interest as a specific complaint, but we wish for it to be addressed without bias.
13. LGBT Youth Scotland may very well take bullying very seriously, however without meeting us and hearing our concerns, it appears likely that they, along with others, are not considering this issue of bullying in the same context as other prejudice-based bullying, thus not providing the same level of support.
14. Our concerns regarding conflict of interest lie very specifically with the lobbying work that LGBT Youth Scotland participate in outside of their role at *respectme*. In particular, we believe that the fact that they provide training to schools and teachers (as well as pupils) which covers the following, creates a clear conflict of interest regarding the specific type of bullying we wished to discuss:
- International pronouns day – notes for teachers
<https://www.lgbtyouth.org.uk/media/2559/international-pronouns-day-teachers-notes.pdf>
This includes lessons and guidance which states: *“You can also show solidarity with someone who uses pronouns that others may mistake by politely correcting someone who has used the wrong pronoun, even when the person isn't there”* it then goes on to advise teachers in the notes that they should (bold is ours):
 - Emphasise that **mistakes** happen and that it does not make somebody a bad person if they slip up or forget but they should **apologise**, correct themselves and move on. This is really important; students should not leave this lesson nervous to make mistakes.
 - Emphasise that it is important to **respect** somebody's pronouns when they are not there

- Emphasise that **how somebody identifies is not an opinion** and therefore the term preferred pronouns should not be used

These examples are evident that someone holding gender critical belief is dismissed as making a mistake, that they must apologise for their belief, that they must show others respect whilst not receiving any themselves and that only those with a belief in gender identity ideology's opinions matter. This is promoting prejudice-based bullying of a child's belief and we struggle to think of any other situation where this would be ok.

15. As we highlighted in our original list of concerns, with an example, the prejudice-based bullying being raised to us is of children who, due to their own protected beliefs, don't believe in gender identity and don't wish to use pronouns that they consider to not reflect a person's sex. The child in this case was bullied with videos shared about her on social media, she was consistently 'policed' on her language by her peers who took delight in (not always politely) correcting her when she used 'the wrong pronouns'. She self-harmed because of this. This is not an isolated incident. We don't expect a response on the individual case, but consideration of the potential increase in cases such as this considering LGBT Youth Scotland promote this very concept in schools. They advise children to correct their peers and this cannot be simply dismissed as a potential conflict due to a working relationship.

16. We fail to see how an organisation, providing this training to schools, can possibly provide support and advice that goes against the work that they do. To suggest that there is no conflict in this particular area is to not understand that context of our concerns.

Improper conflation of ‘gender critical’ views with discrimination

17. The Employment Tribunal and the Employment Appeal Tribunal [2021] have made clear in their decisions on both *Forstater* and *Bailey* [2022] that not merely are gender critical views protected pursuant to the Equality Act 2010 as ‘worthy of respect in a democratic society’, so too is the *manifestation* of those views. Children in school should be able to hold and speak about their gender critical belief without being bullied. Teachers and parents must also be able to do so.
18. SOS – Scotland asserts that it is of particular importance for teachers and parents to consider the evidence that supports ‘gender identity ideology’ as it pertains to bullying in schools, when applied to children and young people. Teachers, pupils and schools must be free to operate in an environment where they may freely discuss and challenge practices which may be harmful or impede their own ability to think critically.

Conclusion

19. In summary, SOS – Scotland raise concerns about the refusal to meet with us upon hearing our concerns come from a ‘gender critical’ position. We have apprehensions that this is discriminatory, based on our beliefs.
20. We are concerned that the government funded agency for bullying in Scotland does not wish to hear about a new wave of bullying, to work with organisations to establish preventative measure in addressing the issues.
21. SOS – Scotland wish to work on a strategy to support schools and teachers, that gives them access to *all* information around the issue of sex and gender. We believe that currently there is a one-sided view (as highlighted on the *respectme* website) which is likely to increase instances of bullying of children and young people who hold a belief in sex and not gender identity.
22. SOS – Scotland prioritise the rights, safety and wellbeing of all children in Scotland, including those who believe in gender identity and those who don’t, and we want to work to achieve an environment at school, individual and community level that respects everyone’s rights.
23. SOS – Scotland would appreciate SAMH, as leading partners of *respectme* to consider the points that we have raised, and the concerns highlighted and review the cancellation of our meeting. We would appreciate the opportunity to meet and address these concerns and work together to prevent any further bullying going under the radar.
24. We consider there to be a potential conflict of interest with LGBT Youth Scotland. This is not in any way a reflection of the working relationship of SAMH and LGBT Youth Scotland, but of a particular nature as addressed in this letter. We would appreciate if this was considered as a formal complaint and addressed as such.

Kind regards,

Safeguarding Our Schools - Scotland

